

Message Text

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ACTION L-02

INFO OCT-01 EA-06 ISO-00 CU-02 RSC-01 NSC-05 NSCE-00 OC-01

CCO-00 /018 W

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R 140810Z NOV 74

FM USLO PEKING

TO SECSTATE WASHDC 2709

C O N F I D E N T I A L PEKING 1976

E.O. 11652: GDS

TAGS: SCUL, CH

SUBJECT: CHINESE ARCHEOLOGICAL EXHIBITION - AGREEMENTS

REF: STATE 247175

1. ON NOVEMBER 13 USLO POUCHED DEPARTMENT CERTIFIED
COPIES OF U.S. LETTER OF AGREEMENT AND NOTE OF UNDERSTANDINGS.

ON SAME DAY WE RECEIVED NOTE FROM MFA CITING OUR NOTE NUMBER 137
CONCERNING UNDERSTANDINGS WHICH REFERS TO OUR STATEMENT ON POINT
FIVE OF THE EXCHANGE OF LETTERS DEALING WITH QUESTION OF PARTIAL
LOSS OR DAMAGE. CONTRARY TO OUR EXPECTATIONS, CHINESE
FLATLY STATE IN THEIR NOTE OF REPLY THAT "IF THERE IS
LOSS OR DAMAGE, THE UNITED STATES SIDE SHOULD REIMBURSE
THE CHINSE SIDE ACCORDING TO THE ESTIMATED VALUE OF THE OBJECT;
NO NEED EXISTS FOR CONSULTATIONS BETWEEN THE TWO SIDES
ON THE DEGREE OF LOSS OR DAMAGE BEFORE PAYMENT."

A CERTIFIED COPY OF THE CHINESE NOTE WILL BE POUCHED TO
DEPARTMENT LEGAL ADVISOR NOVEMBER 20.

2. AT FAREWELL LUNCHEON HOSTED BY DC HOLDRIDGE FOR
KENG PAO-CHENG AND WU CHUNG-LUN, WHO WILL ACCOMPANY EXHIBITION FROM
TORONTO TO WASHINGTON, ANDERSON ASKED INFORMATION
DEPARTMENT'S LI PAO-CHIU ABOUT ANNEXES A AND B. SHE SAID SHE WOULD
LOOK INTO MATTER AND BE IN TOUCH AS SOON AS POSSIBLE. KENG AND WU
LEAVE FOR CANADA NOVEMBER 15.

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3. COMMENT: USLO RECOMMENDS THAT WE NOT GET BACK TO CHINESE ON QUESTION OF PARTIAL LOSS OR DAMAGE. WE HAVE HSIAO TEH'S VERBAL ASSURANCES AND OUR VIEWS ARE ON RECORD. RIGID TONE OF CHINESE NOTE IS TYPICAL OF PRC APPROACH TO ENTIRE NEGOTIATIONS, AND WE THINK IT BEST TO LEAVE THE QUESTION AMBIGUOUS AT THIS POINT. WE DID NOT RAISE THE QUESTION DURING FAREWELL LUNCHEON AND WILL NOT DO SO UNLESS INSTRUCTED BY DEPARTMENT. WE WILL REPORT FURTHER ON QUESTION OF ANNEXES AS SOON AS WE HEAR FROM MFA.
BUSH

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